United Nations A/57/15

General Assembly

Distr.: General
2 July 2002

Original: English

Fifty-seventh session
Item 102 of the preliminary list*
Crime prevention and criminal justice

Preparations for the Eleventh Congress on Crime Prevention and Criminal Justice

Report of the Secretary-General

Summary

The present report has been prepared pursuant to General Assembly resolution 56/119 of 19 December 2001, entitled "Role, function, periodicity and duration of the United Nations Congresses on the prevention of crime and the treatment of offenders", requesting the Secretary-General to ensure the proper follow-up to its various provisions and report thereon to the Assembly, through the Commission on Crime Prevention and Criminal Justice at its eleventh session. Accordingly, the report highlights the deliberations and outcome of the session of the Commission, summarizing the substantive and organizational aspects of the preparations for the Eleventh Congress on Crime Prevention and Criminal Justice.

Contents

		Paragraphs	Pa
I.	Introduction	1–2	
II.	Background	3–6	
III.	Substantive preparations and organizational arrangements	7–31	
IV.	Resource requirements	32–34	
V.	Conclusions and recommendations	35–37	

* A/57/50/Rev.1.

02-47066 (E) 080802

I. Introduction

1. In its resolution 56/119, the General Assembly decided to continue holding the United Nations Congresses in accordance with paragraphs 29 and 30 of the statement of principles and programme of action of the United Nations Crime Prevention and Criminal Justice Programme,[1] following a dynamic, interactive and cost-effective method of work and a focused programme of work, and to call them the United Nations Congresses on Crime Prevention and Criminal Justice.

2. In the same resolution, the General Assembly requested the Commission on Crime Prevention and Criminal Justice to continue to act as the preparatory body for the Congresses and to follow the guidelines contained in paragraph 2 of the resolution in organizing future Congresses. The present report provides an overview of the progress made in implementing the resolution.

II. Background

3. The Eleventh Congress will be held in 2005, following major reviews of the role, format and function of the United Nations Congresses on the Prevention of Crime and the Treatment of Offenders during the last 10 years. In this connection, the General Assembly will recall that, in pursuance of General Assembly resolution 415 (V) of 1 December 1950, such Congresses have been organized since 1955. Their importance has been reaffirmed in numerous resolutions of the policy-making bodies of the United Nations. The Congresses have served as global events and worldwide forums, influencing national policies, mobilizing public opinion, recommending lines of action at the national, regional and international levels, and focusing attention on major issues of concern to Member States and the professional and scientific community.

4. The Assembly will also recall that, over the years, the Congresses have undergone significant changes. Having started as primarily a gathering of national and international experts, following a long-established tradition inherited by the United Nations from the International Penal and Penitentiary Commission, the Congresses became major intergovernmental conferences. The Sixth Congress represented a turning point in that regard, as the General Assembly, in its resolution 32/60 of 8 December 1977, endorsed the recommendation of the Fifth Congress that the provisional rules of procedure of the Congresses be reviewed with a view to bringing them into conformity with those of other comparable United Nations conferences. The Congresses were thus transformed into fully fledged intergovernmental world conferences with representation at the highest political level.

5. The Ministerial Meeting on the Creation of an Effective United Nations Crime Prevention and Criminal Justice Programme, held in Paris from 21 to 23 November 1991, reviewed the functioning and programme activities of the United Nations in the field of crime prevention and criminal justice. Its results are reflected in the statement of principles and programme of action of the United Nations Crime Prevention and Criminal Justice Programme, endorsed by the General Assembly in its resolution 46/152 of 18 December 1991. In accordance with its provisions, the Commission on Crime Prevention and Criminal Justice was established in 1992 as the United Nations policy-making body in this field and as the preparatory body for those Congresses. In its resolution 1993/32, the Economic and Social Council, on the recommendation of the Commission at its second session, approved new rules of procedure for United Nations Congresses, reflecting their new orientation, structure and functions.

6. In response to General Assembly resolution 53/110 of 9 December 1998, the Commission, at its tenth session, undertook a further review of the role, function, periodicity and duration of the United Nations Congresses. Its recommendations are reflected in General Assembly resolution 56/119 of 19 December 2001, which provides specific guidance on how future Congresses should be organized.

III. Substantive preparations and organizational arrangements

7. As a result of the aforementioned review, to which Governments, intergovernmental and non-governmental organizations contributed, the Assembly decided that, beginning in 2005, the Congresses, pursuant to paragraphs 29 and 30 of the statement of principles and programme of action of the United Nations Crime Prevention and Criminal Justice Programme, shall be held in accordance with the

following guidelines: (a) each Congress shall discuss specific topics, including, where appropriate, a main topic, all to be determined by the Commission on Crime Prevention and Criminal Justice; (b) each Congress shall include one session of pre-Congress consultations; (c) each Congress shall include a high-level segment in which States will be represented at the highest possible level and will be given an opportunity to make statements on the topics of the Congress; (d) as part of the high-level segment, the heads of delegations or their representatives shall participate in a number of thematic interactive round tables in order to further the discussion on the topics of the Congress through open dialogue; (e) panels of experts, to be selected by the Commission with due regard for the principle of equitable geographical distribution, shall hold workshops dealing with the topics of the Congress, maintaining an open dialogue with the participants and avoiding the reading of statements; (f) institutes of the United Nations Crime Prevention and Criminal Justice Programme network shall be invited to assist in the preparations for the workshops; (g) the Secretary-General shall facilitate, within existing resources, the organization of ancillary meetings of non-governmental organizations and professional organizations at each Congress; (h) each Congress shall adopt a single declaration containing recommendations derived from the deliberations of the high-level segment, the round tables and the workshops, to be submitted to the Commission for its consideration; (i) any action suggested to the Commission regarding its programme of work, contained in the declaration of the Congress, shall be undertaken through individual resolutions of the Commission; (j) the Commission, as the preparatory body for the Congress, shall request the Secretary-General to prepare the background documents that are necessary for implementing the programme of work of the Congress; and (k) each Congress shall be preceded by regional preparatory meetings, when necessary, and their costs shall be streamlined by holding them in conjunction with other regional meetings, shortening their duration and limiting the preparation of background documents.

8. General Assembly resolution 56/119 should be perceived both as an end and as a beginning. It was an end, since it completed the cycle of a lengthy review of the functioning and programme of work of the Congresses. However, it also marked the beginning of a new vision in respect of future Congresses and the role they should play, involving the highest level of political participation, to address present and future challenges of crime prevention and criminal justice worldwide. In response to the guidelines contained in paragraph 2 of the resolution, the preparations for the Eleventh United Nations Congress were initiated by the Secretary-General.

A. Substantive preparations

9. Following past practice, and in order to ensure the active participation of all actors in the process, the Secretary-General sent a note verbale, dated 24 September 2001, requesting the views of States, intergovernmental and non-governmental organizations and institutes of the United Nations Crime Prevention and Criminal Justice Programme network on the implementation of General Assembly resolution 56/119, particularly in respect of the main topic, agenda items and workshop topics for the Eleventh Congress.

10. In response to the note verbale, the following States provided their views: Azerbaijan, Belarus, Finland, Germany, Greece, Haiti, Hungary, Ireland, Japan, Lebanon, Madagascar, Malaysia, Saudi Arabia, the Syrian Arab Republic, Thailand and the United Kingdom of Great Britain and Northern Ireland. It should be noted that States that did not have the opportunity to inform the Secretary-General of their views at that time had the chance to contribute to the discussion on the preparations for the Congress during the eleventh session of the Commission on Crime Prevention and Criminal Justice.

11. The following specialized agencies and United Nations Programmes provided their views: the Department of Economic and Social Affairs, the Economic and Social Commission for Asia and the Pacific, the Economic Commission for Africa, the Economic Commission for Western Asia, the International Labour Organization, the World Health Organization and the World Bank.

12. The following intergovernmental and non-governmental organizations and institutes provided their views: the Asian-African Legal Consultative Organization, the Customs Cooperation Council, the European Commission, the International Criminal Police Organization, the Interparliamentary Assembly of Member Nations of the Commonwealth of

Independent States, the Offshore Group of Banking Supervisors, the Organization for Security and Cooperation in Europe, the Sovereign Military Order of Malta, the Asia Crime Prevention Foundation, the National Council of German Women's Organizations-Federal Union of Women's Organizations and Women's Group of German Associations, the International Police Association, Defence for Children International, the International League for Human Rights, Pax Romana (International Catholic Movement for Intellectual and Cultural Affairs and International Movement of Catholic Students), the Howard League for Penal Reform, the United Nations Interregional Crime and Justice Research Institute, the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, the Australian Institute of Criminology and the Naif Academy for Security Sciences.

13. The proposals of States, relevant specialized agencies and United Nations programmes, intergovernmental and non-governmental organizations and institutes are summarized below.

1. Theme

14. Regarding a possible theme for the Eleventh Congress, a number of suggestions were made, including combating transnational organized crime; measures against corruption and organized crime; and global cooperation for crime prevention and the treatment of offenders: effective actions across borders. At its eleventh session, the Commission reached an agreement on the theme "Synergies and responses: strategic alliances in crime prevention and criminal justice".

2. Agenda items

15. In the area of transnational crime and terrorism, the following items were proposed: strategic alliance against transnational crime: road map for effective international cooperation; combating transnational organized crime in the context of sustainable development; illicit manufacturing and trafficking in firearms; the links between organized crime, terrorism and economic crimes; mutual assistance in criminal matters with regard to forfeiture of property and proceeds of crime; action against illegally acquired profits; international cooperation and technical assistance in combating illegal migration; international identification and elimination of terrorism as an expression of socio-economic and political unrest; crime and biological terrorism; victims of the consequences of terrorism and relevant rehabilitation programmes, with particular emphasis on vulnerable groups; international cooperation against money-laundering to combat terrorism; promotion of wider acceptance and effective implementation of international conventions on terrorism and establishment of an oversight mechanism for this purpose; technical assistance to developing countries in strengthening their legal capacity to combat terrorism; enhanced measures to control international terrorism, especially the financing of terrorist activities worldwide; and separatism and international terrorism.

16. In the area of economic crime and corruption, the following items were suggested: corruption: threats and trends in the twenty-first century; combating corruption: realities and perspectives of regional and international cooperation; international cooperation against State corruption; measures against economic crime; adverse effects of globalization; and computer-related crime.

17. Traditional crime prevention and criminal justice issues also figured prominently in a number of responses, which are summarized as follows: efficient administration and reform of criminal justice systems; 50 years of standard-setting in criminal justice: review process; indigenous people's justice systems; the role of women as offenders, victims and decision makers in criminal justice; crime prevention and public awareness: enhancing public security, ethics, values and family ties; crime prevention and reduction of poverty; alternatives to incarceration and prison overcrowding; juvenile delinquency and alternative youth sanctions; restorative justice; use of technology in crime prevention and the supervision of offenders; towards universal standards in criminal law and their application in different cultures; modalities for effective law enforcement cooperation; and the promotion of close collaboration between security forces and the judicial police.

3. Workshop topics

18. States, intergovernmental and non-governmental organizations, institutes and individual experts attach great importance to the organization of workshops at the United Nations Congresses, given their practicality and outreach. The proposals made on possible topics for the workshops ranged from transnational crime and terrorism to specific forms of crime and crime

prevention, and criminal justice measures. The proposals are summarized as follows: transnational terrorism and organized crime: links and international response; effectiveness of international cooperation in combating transnational crime; extradition of offenders and mutual cooperation in investigation; international cooperation: an effective partnership among law enforcement, prosecution and judicial bodies; analysis of international crime trends; high technology and computer-related crime; government and industry partnerships in preventing and combating computer-related crimes; measures against economic crime, including the role of the private sector; partnership in the use of technology in crime prevention: tools used to collect best practices; measures to ensure the protection of witnesses in criminal proceedings, including support for and protection of victims of crime; human rights in criminal justice; towards universal standards in criminal law and their application in different cultures; alternatives to incarceration and prison overcrowding; juvenile delinquency and alternative youth sanctions; and law and order: crime and justice in developing countries, focusing on the African region.

4. Consideration and action by the Commission on Crime Prevention and Criminal Justice as a preparatory body

19. In response to paragraph 6 of General Assembly resolution 56/119, the Commission on Crime Prevention and Criminal Justice, at its eleventh session, focused its attention on the various proposals regarding the main topics of the agenda items and the workshops.

20. During the discussion, most speakers emphasized that the topics should reflect emerging issues in crime prevention and criminal justice, building on recent developments. This could include an analysis of the progress made with regard to the implementation of the United Nations Convention against Transnational Organized Crime and its protocols and the United Nations convention against corruption, which might be finalized by 2005. An assessment of crime prevention strategies could also be timely. In addition, combating terrorism should feature prominently in the agenda of the Eleventh Congress.

21. The view was expressed that the workshop topics should be selected according to five criteria: the issues should be of interest to both developing and developed countries; they should be multidisciplinary; they should identify emerging problems; they should focus on problems and practical solutions that would foster technical cooperation; and they should have a spin-off effect by stimulating work that would be carried out after the conclusion of the Eleventh Congress. Chapter VII of the report of the Commission on its eleventh session contains a brief summary of the discussion of the item.[2]

22. At the end of its deliberations, the Commission recommended the inclusion of the following topics for discussion during the plenary meetings of the Eleventh Congress, noting that Member States might refine these topics and propose additional ones at future intersessional meetings of the Commission, for finalization at its twelfth session:

(a) Effective measures against transnational organized crime;

(b) Corruption: threats and trends in the twenty-first century;

(c) Economic and financial crimes: challenges to sustainable development;

(d) Making standards work: 50 years of standard-setting in crime prevention and criminal justice.

23. The Commission recommended the following issues for consideration by workshops, again noting that Member States might refine these issues and propose additional workshop topics at future intersessional meetings of the Commission, for finalization at its twelfth session:

(a) Measures against economic crime: the role of the private sector;

(b) Cross-border law enforcement cooperation;

(c) Human rights in criminal justice;

(d) Restorative justice: community involvement, diversion and other alternative measures;

(e) Links between transnational organized crime and terrorism;

(f) Measures against high-technology and computer-related crime;

(g) Measures against money-laundering;

(h) Combating corruption;

(i) Crime prevention strategies for youth at risk;

(j) Current practices in and ways of overcoming obstacles to extradition.

B. Organizational arrangements

24. In paragraph 3 of its resolution 56/119, the General Assembly requested the Commission on Crime Prevention and Criminal Justice to continue to act as the preparatory body for the Congresses and in organizing future Congresses to follow the guidelines contained in paragraph 2 of the resolution. At the Commission's eleventh session, the importance of the Congresses was underlined. It was noted that the Congresses provided an opportunity for States to come together and build alliances, presenting a forum for formulating global strategies and taking stock of cooperative efforts in combating crime. Specific comments on organizational arrangements were made. In that connection, the view was expressed that the role of the research institutes, in particular the United Nations Interregional Crime and Justice Research Institute, and of other entities providing information on crime trends should be taken into account. The Secretariat and the Commission were encouraged also to take due account of the issue of gender equality and mainstreaming in the preparations for the Eleventh Congress.

25. The Commission was expected, in response to paragraph 6 of General Assembly resolution 56/119, to formulate recommendations in respect of, inter alia, the venue of the Congress, its dates and duration, documentation and a review of the rules of procedure. In this connection, the General Assembly's attention is drawn to paragraphs 26 to 30 below.

1. Venue

26. The General Assembly will recall that in its resolution 56/119 it noted with appreciation the offers made by the Governments of Mexico and Thailand to host the Eleventh Congress. In February 2002, the Government of Mexico informed the Secretariat that it would withdraw its offer and support the offer of the Government of Thailand. Alternatively, Mexico offered to host the high-level conference for the purpose of signing the United Nations convention against corruption, which will be organized upon completion of the negotiation of that convention in 2003. The Government of Thailand subsequently reaffirmed its offer to host the Eleventh Congress. That offer, which was originally endorsed by the Group of 77 and China and the Group of Asian States, was welcomed by the Commission, as reflected in the draft resolution submitted to the General Assembly for approval. In that regard, the General Assembly would request the Secretary-General to initiate consultations with the Government of Thailand and to report to the Commission at its twelfth session.

2. Dates and duration

27. The duration of the Eleventh Congress would determine the time allocated to the discussion of its agenda items. In terms of time, a balance will have to be maintained between the plenary meetings, the work of the main committees and the high-level segment. In the same draft resolution, recommended for approval by the General Assembly, the Commission decided that the duration of the Eleventh Congress should not exceed eight days, including pre-Congress consultations. The dates of the Eleventh Congress will be set in the near future, in consultation with the host country.

3. Documentation

28. In accordance with paragraph 2 (j) of General Assembly resolution 56/119, the Commission, as the preparatory body for the Congress, should request the Secretary-General to prepare background documents that are necessary for implementing the programme of work of the Congress. At its eleventh session, the Commission did not make specific recommendations on the Congress documentation, since its recommendations on the Congress programme will have to be finalized at its forthcoming session in May 2003.

4. Format

29. In the context of reviewing the role and function of United Nations Congresses, it will be recalled that, during the tenth session of the Commission, in the context of evaluating the format of the Tenth Congress and its achievements, the view was expressed that the Congresses should enhance political momentum in fighting international crime. It was underlined that the high-level segment had contributed to strengthening political will and support for crime prevention and criminal justice, as reflected in the Vienna Declaration. The importance of organizing practical workshops and ancillary meetings was also emphasized.[3]

30. At its eleventh session, the Commission further elaborated on the role and structure of the high-level segment, in which States should be represented at the highest possible level. It was suggested that the high-level segment should be held at the end of the Congress, while the remaining time could be taken up by workshops, which would constitute the main forum for the exchange of information and the identification of trends and best practices. As the high-level segment raised the profile of international criminal justice issues within the political arena, it could be extended for a longer period of time, during which the focus could be on round-table discussions. The Eleventh Congress should adopt a declaration containing recommendations emanating from the segment. In sum, there was strong support for the preparations for the Eleventh Congress and for the view that there was a need to undertake the task efficiently, in order to ensure successful preparations and, most importantly, viable proposals and sound conclusions.[4]

5. Rules of procedure

31. In the context of the review of the role and function of the United Nations Congresses, the rules of procedure underwent major modification following the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in 1975. The provisional rules of procedure, under which the Tenth Congress was organized, were made available to the Commission at its eleventh session so that it could identify amendments that might be necessary to reflect the guidelines contained in paragraph 2 of General Assembly resolution 56/119. Due to lack of time, the Commission made no recommendations on this matter. It will review it at its twelfth session, in 2003.

IV. Resource requirements

32. In contrast to the case of other major conferences that the United Nations organizes for which substantial resources are provided, the bulk of the preparatory activities for the Eleventh Congress, both substantive and organizational, are funded through the regular programme budget of the Secretariat. Only modest temporary assistance resources would be required to assist at times of peak workload. In paragraph 5 of its resolution 56/119, the General Assembly requested the Secretary-General to provide the Centre for International Crime Prevention with the necessary resources, within the overall appropriations of the programme budget for the biennium 2002-2003, for the preparations for the Eleventh United Nations Congress. The Assembly also requested the Secretary-General to ensure that adequate resources were provided in the programme budget for the biennium 2004-2005 to support the holding of the Eleventh Congress.

33. During its eleventh session, the Commission was informed that during the biennium 2002-2003 a discussion guide for the regional preparatory meetings would be prepared. That activity would be conducted within the resources available under section 14 (Crime prevention and criminal justice) of the programme budget. The requirements for the regional preparatory meetings for the Eleventh Congress, as well as for the Congress itself, would be included in the proposed programme budget for the biennium 2004-2005, which would be submitted to the General Assembly at its fifty-eighth session, in 2003.

34. In relation to paragraph 12 of the draft resolution recommended by the Commission for adoption by the General Assembly, in which the Assembly would request the Secretary-General to make available the necessary resources for the participation of the least developed countries in the regional preparatory meetings for the Eleventh Congress and in the Congress itself, in accordance with past practice, the cost of travel for one representative from each least developed country to the Congress and to the regional preparatory meeting held in the respective region would also be included in the proposed programme budget for the biennium 2004-2005.

V. Conclusions and recommendations

35. **The recent review of the role and function of United Nations Congresses on Crime Prevention and Criminal Justice and the results emanating therefrom reaffirmed their important contributions and the need to maintain their continuity, since they are an essential tool for international cooperation. In this context, certain changes to streamline future Congresses were also identified, including proper planning, cost-effective methods of work and strategic vision. Accordingly, the Eleventh United Nations Congress should be a catalyst for action-oriented recommendations dealing with present and future crime and justice challenges facing the international community.**

36. Prior to the twelfth session of the Commission on Crime Prevention and Criminal Justice, work will continue, intersessionally, to prepare final proposals on the substantive agenda items and workshop topics.

37. As the draft resolution recommended by the Commission, through the Economic and Social Council, sets the stage for timely preparations for the Eleventh Congress, the General Assembly may wish to take action on it, in order to provide appropriate guidance. Member States, intergovernmental and non-governmental organizations, relevant programmes and agencies of the United Nations and the network of institutes will be kept fully involved in the further preparatory process, with a view to ensuring maximum benefits and practical results.

Notes

[1] General Assembly resolution 46/152, annex.

[2] See *Official Records of the Economic and Social Council, 2002, Supplement No. 10* and corrigendum (E/2002/30 and Corr.1).

[3] See *Official Records of the Economic and Social Council, 2001, Supplement No. 10* (E/2001/30), part one, chap. IV.

[4] See *Official Records of the Economic and Social Council, 2002, Supplement No. 10* and corrigendum (E/2002/30 and Corr.1), chap. VII.